

A Guide to North Carolina Bicycle and Pedestrian Laws

PART - 5



**Guidebook on
General Statutes,
Ordinances,
and Resources**



North Carolina Department
of Transportation
Division of Bicycle &
Pedestrian Transportation

A Guide to North Carolina Bicycle and Pedestrian Laws

*Laws are subject to change by the
North Carolina General Assembly.
Printed in September 2004.*



North Carolina Department
of Transportation
Division of Bicycle &
Pedestrian Transportation

Disclaimer

Every attempt has been made to provide complete and thorough information on the North Carolina laws pertaining to bicycles and pedestrians. Neither ITRE nor NCDOT can be held responsible for any exclusions, omissions nor deletions of relevant laws. If you have questions or concerns regarding North Carolina law pertaining to bicycles or pedestrians, you may wish to consult an attorney.

Produced by the Institute for Transportation Research and Education at North Carolina State University for the North Carolina Department of Transportation Division of Bicycle and Pedestrian Transportation.

Access an electronic version of this document at
[http://www.ncdot.org/transit/bicycle/laws/resources/
lawsguidebook.html](http://www.ncdot.org/transit/bicycle/laws/resources/lawsguidebook.html).

Permission to reproduce this document may be obtained by contacting the Division of Bicycle and Pedestrian Transportation, 1552 Mail Service Center, Raleigh, NC 27699-1552 or via email at bikeped_transportation@dot.nc.us.

Funding for development and printing of this document provided by the Governor's Highway Safety Program

3500 copies of this guide were printed at a cost of \$1.33 each.

Table of Contents

The Purpose of this Guide	5	PART - 1
Bicyclists and the Law	7	
The Bicycle and the Operator: Equipment Required	7	
Bicycle Helmets & Seats	7	
Bicycle Lights	8	
The Bicycle and the Operator: Bicyclist Behavior	8	
Riding on the Right	8	
Impaired Driving	8	
Reckless Operation	9	
Stopping on the Highway or Bridge	9	
Parking in Restricted Areas	9	
Bicycle Racing	9	
Bicycles and Facilities	10	
Signs and Signals	10	
One-Way Streets	11	
Interactions with Others	11	
Signaling and Turning	11	
Yielding Right-of-Way to Vehicles	12	
Yielding Right-of-Way to Pedestrians	12	
Passing Another Vehicle	12	
Passing on the Right	13	
Being Passed	13	
Crashes	13	
Reporting a Crash	14	
“Good Samaritan” Law	14	
Pedestrians and the Law	15	PART - 2
Pedestrians and Facilities	15	
Signals	15	
Walking Along the Road	16	
Railroad Signals	16	
Regarding Physical Impairment	16	
Electric Personal Assistive Mobility Devices	16	
Interactions with Others	16	
Right-of-Way at Crosswalks	16	
Right Turn on Red	17	
Yielding to Vehicles	17	
Yielding to Pedestrians Outside of Crosswalks and Intersections	17	
Blind Pedestrians	17	
Audible Warning	18	
Keeping the Roadway Clear	18	
Motorists’ Responsibilities	19	PART - 3
Motorists and Bicyclists	19	
Bicycles as Vehicles	19	
Passing a Bicycle	19	
Following Too Closely	20	
Yielding to Bicyclists at Driveways or Alleys	20	
Motorists and Pedestrians	20	
Yielding to Pedestrians in Crosswalks, Driveways	20	
Yielding at Right Turn on Red	20	
Audible Warning	20	
Watching Out for Pedestrians	21	
Keeping Pedestrian Facilities Clear	21	
Motorists’ Responsibilities in General	21	
Signaling Movements	21	

Other Responsibilities	22	PART - 4
Regarding Bicycles	22	
Bicycling on the Interstate	22	
Riding Two or More Abreast	22	
Headphones	22	
Riding on Sidewalks	23	
Regarding Pedestrians	23	
Definition of Pedestrian	23	
Hitchhiking on Interstates	23	
Rollerblades and Skateboards	23	
More Information	23	
Local Ordinances	24	PART - 5
Issues Sometimes Addressed by Local Ordinances	24	
Dogs	24	
Bicycling on Sidewalks	25	
Greenways and Multi-Use Pathways	25	
More Stringent Helmet Laws	25	
Rollerblades and Skateboards	25	
Electric Personal Assistive Mobility Devices	25	
Contributory Negligence	25	
North Carolina General Statutes	27	PART - 6
Introduction	27	
Definitions in the General Statutes	27	
General Statutes Related to Bicycles	33	
General Statutes Related to Pedestrians	53	
Laws Related to Both Bicyclists and Pedestrians	63	
Links to Resources	67	PART - 7
NCDOT Division of Bicycle & Pedestrian Transportation	67	
North Carolina General Statutes	67	
Municipal Ordinances	67	
Resource Guide on Pedestrian and Bicycle Laws	67	
Laws Pertaining to Bicycles	68	
Bicycle and Pedestrian Information Center	68	
Legislation and Policies Affecting Bicycles	68	
Bicycle and Pedestrian Safety	68	

Local Ordinances

This section explains some of the issues affecting bicyclists and pedestrians that are addressed by some local governments-cities, towns, and counties. To find out about local ordinances within North Carolina, you have several options:

1. You can go directly to:
<http://www.govengine.com/localgov/northcarolina.html> and select the locality, or you can go to <http://www.govengine.com> on the Internet. Select North Carolina and the county or municipality/township, which will then take you to the Web site for your selection. Some local area Web sites have ordinances clearly indicated on the front page; on others, you may have to explore the site to find ordinances, if they are available. This is a good site if you want to learn more about local government, such as local officials and government departments.
2. You can go to http://www.municode.com/resources/online_codes.asp, a private sector host for city and county ordinances, if they are available electronically. You click on North Carolina and then select from the list of localities (municipalities and counties are mixed together) that have made their ordinances available through this service.
3. You can contact the city or county clerk's office to obtain detailed information about ordinances in that jurisdiction.

Issues Sometimes Addressed by Local Ordinances

The following are a few bicycle and pedestrian issues sometimes addressed by local governments:

Dogs

Dogs can sometimes be a hazard to bicyclists and pedestrians, especially when they are allowed to run loose. Whether local laws address control of dogs and the extent of the law varies widely from locality to locality.

Bicycling on Sidewalks

Bicycling on sidewalks is sometimes addressed by municipalities with great variation in the extent of the law.

Greenways and Multi-Use Pathways

Local ordinances may include provisions about bicyclists' and pedestrians' use of these facilities; some municipalities require bicyclists to yield to pedestrians on greenways and multi-use pathways. State law does not require bicyclists to ride on greenways and multi-use pathways adjacent to the road.

More Stringent Helmet Laws

Under North Carolina law [§20-171.7(b)], bicyclists under the age of 16 are required to wear a bicycle helmet and/or ride in a child carrier. Some localities may have stricter helmet requirements than the state law.

Rollerblades and Skateboards

Some local jurisdictions address the use of skateboards and rollerblades.

Electric Personal Assistive Mobility Devices

Local governments may control the time, place, and manner of operation for electric personal assistive mobility devices.

Contributory Negligence

North Carolina subscribes to a legal principle known as contributory negligence that addresses liability and right of recovery in the case of a wrongful act, such as a vehicle crash where property is damaged or a person is injured or killed. An attorney or other legal expert should be consulted for proper interpretation of contributory negligence laws and their application to a specific situation.